

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MASON, et al., on behalf of themselves and all
others similarly situated,

Case No. 05-73943

Plaintiffs,

v

HON. JOHN CORBETT O'MEARA

GRANHOLM, et al., jointly and severally,

Defendants.

DEBORAH LaBELLE (P31595)
Counsel for Plaintiffs
221 N. Main St., Ste. 300
Ann Arbor, MI 48104
734.996.5620

RICHARD A. SOBLE (P20766)
Counsel for Plaintiffs
221 N. Main St., Ste. 200
Ann Arbor, MI 48104
734.996.5600

MOLLY RENO (P28997)
Counsel for Plaintiffs
221 N. Main St., Ste. 300
Ann Arbor, MI 48104
734.449.9883

PATRICIA A. STREETER (P30022)
Counsel for Plaintiffs
221 N. Main St., Ste. 300
Ann Arbor, MI 48104
734.222.0088

MICHAEL L. PITT (P24429)
PEGGY GOLDBERG PITT (P41407)
CARY S. McGEHEE (P42318)
Counsel for Plaintiffs
117 W. Fourth St., Ste. 200
Royal Oak, MI 48067-3804
248.398.9800

RALPH J. SIRLIN (P24635)
RONALD J. REOSTI (P19368)
Counsel for Plaintiffs
23880 Woodward Ave.
Pleasant Ridge, MI 48069-1133
248.691.4200

JOHN L. THURBER (P44989)
DIANE M. SMITH (P32402)
Assistant Attorney General
Counsel for Defendants
Corrections Division
P.O. Box 30217
Lansing, MI 48909
517.335.7021

DAVID A. KOTWICKI (P56070)
Attorney for Defendant Carlton Carter
20 S. Main St., Ste. 115
Mt. Clemens, MI 48043
586.468.9850

ROBERT R. STEARNS (P55188)
Attorney for Defendant Chapman
20 S. Main ST., Ste. 115
Mt. Clemens, MI 48043
586.868.0303

**ORDER DENYING DEFENDANTS GRANHOLM, CARUSO, ZANG, STOVALL,
DAVIS, YUKINS, DeSANTIS, HOWELL, TALLEY, TOLLZEIN, MADDEN AND
LANGLEY'S RULE 12(b)(6) MOTIONS FOR DISMISSAL**

Before this Court is Defendants Granholm, Caruso, Zang, Stovall, Davis, Yukins,
DeSantis and Howell's Rule 12(b)(6) Motion for Dismissal dated November 17, 2005;
Defendants Talley and Tollzein's Rule 12(b)(6) Motion for Dismissal dated December 1,
2005; Defendant Madden's Rule 12(b)(6) Motion for Dismissal dated December 14,

2005; and Defendant Langley's Rule 12(b)(6) Motion for Dismissal dated February 24, 2006. Plaintiffs filed responses on December 14, 2005, December 23, 2005 and March 17, 2006, respectively. Defendants filed a reply brief on December 28, 2005.

This Court heard oral argument on May 11, 2006 and for the reasons expressed on the record, the Defendants' motions are DENIED.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: May 15, 2006